

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

**OUTSOURCING FACILITIES
ASSOCIATION, ET AL.,**

Plaintiffs,

v.

No. 4:24-cv-00953-P

**UNITED STATES FOOD AND DRUG
ADMINISTRATION, ET AL.,**

Defendants.

ORDER

Before the Court is Eli Lilly and Company's Unopposed Motion to Close the Courtroom for Hearing on Parties' Motions for Summary Judgment. ECF No. 141. Since long before the founding of this great Nation, courtrooms and hearings have been open to the public. This is because transparency is the great safeguard against corruption and injustice. The undersigned strains to think of a time in our Nation's history when transparency in the judiciary was more essential than it is now. Politicians from both sides consistently and with alacrity accuse judges of donning red or blue robes and forsaking their oaths to administer justice without respect to persons or outcome. Such hostility has bled into the public sphere and fostered a public distrust of the judiciary.

As a consequence of the foregoing, the Court hesitates to close a hearing to the public in a case which affects so many Americans. A sentiment seemingly understood by Lilly and the Federal Defendants. *See* ECF No. 141 at 6 ("Counsel for Lilly and counsel for Federal Defendants agreed to conduct the summary judgment hearing without disclosing any Confidential Information."). But Plaintiffs feel that they cannot properly present their case without the use of confidential information and the Parties agree. Thus, with consternation, the Court **GRANTS** Lilly's Motion to close the courtroom. It is **ORDERED** that

the courtroom will be closed to the public and to anyone who is not employed by the Court or subject to the agreed confidentiality agreement in this case.¹

SO ORDERED on this **23rd day of April 2025**.



MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE

¹“In a government which is emphatically stiled a government of laws, the least possible range ought to be left for the discretion of the judge. Whatever tends to render the laws certain, equally tends to limit that discretion; and perhaps nothing conduces more to that object than the publication of reports. Every case decided is a check upon the judge. He can not decide a similar case differently, without strong reasons, which, for his own justification, he will wish to make public. The avenues to corruption are thus obstructed, and the sources of litigation closed.” Cranch, William, C.J., *Preface*, 1 Cranch iii 1804. In light of Judge Cranch’s sentiments, which led to the availability of reporters, within three business days of the completion of the hearing transcript, it is **ORDERED** that the Parties shall file a redacted version of the transcript as a part of the public record.